

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SIDNEY KEYS,)	
)	
Plaintiff,)	
V)	Case No.
)	
UNITED STATES POSTAL SERVICE,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant United States Postal Service (“USPS”) hereby gives notice, by and through its attorneys, Jeffrey B. Jenson, United States Attorney for the Eastern District of Missouri, and Nicholas P. Llewellyn, Assistant United States Attorney for said District, pursuant to 28 U.S.C. §§ 1446(a) & 1442(a)(1), that it is removing this action to the United States District Court for the Eastern District of Missouri, Eastern Division, on the following grounds:

1. Defendant USPS is a defendant in a civil action now pending in the Circuit Court of Twenty Second Judicial Circuit of the City of St. Louis, State of Missouri, Case No. 1822-CC03532.

2. The action in state court contains no allegations against Defendant USPS. Rather, Plaintiff’s claims are against the Office of Personnel Management (“OPM”) regarding the amount of Plaintiff’s disability retirement benefits, and the Department of Labor (“DOL”) regarding an alleged Workers’ Compensation claim from 2009 or 2010. The Petition makes vague and confusing allegations regarding an alleged medical malpractice claim against a physician who is not an employee of USPS. See Plaintiff’s Petition.

3. This Notice of Removal is brought pursuant to 28 U.S.C. § 1442(a)(1). As set forth in 28 U.S.C. § 1442(a)(1), a civil action commenced in a state court against the United States or

“any agency thereof or any officer (or any person acting under that officer) of the United States or of any agency thereof, sued in an individual capacity for any act under color of such office . . .” may be removed “to the district court of the United States for the district and division embracing the place wherein it is pending.”

4. As required by 28 U.S.C. § 1446(a), “...a copy of all process, pleadings, and orders served upon such defendant...”, are attached.

WHEREFORE, this action, now pending in the Circuit Court of the Twenty-Second Judicial Circuit of the City of St. Louis, State of Missouri, is removed to this Court.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Nicholas P. Llewellyn
NICHOLAS P. LLEWELLYN Mo. #43839
Chief, Civil Division
Assistant United States Attorney
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
(314) 539-7637
(314) 539-2287 FAX
Nicholas.llewellyn@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on June 25, 2018, a copy of the *Notice of Removal* was filed electronically with the Clerk of the Court, and a copy was mailed to:

Sidney Keys
1501 Trampe Avenue
St. Louis, MO 63138
Plaintiff Pro Se

/s/ Nicholas P. Llewellyn
NICHOLAS P. LLEWELLYN
Assistant United States Attorney